

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

AUG - 6 2010

CLERK, U.S. DISTRICT COURT
RICHMOND, VA

In Re: Circuit City Stores, Inc., et al,

Civil Action Number 3:10CV397

RICHMOND DIVISION

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US BANKRUPTCY COURT

ORDER

This matter is before the Court on Appellee Schimenti Construction, LLC's ("Schimenti")

Consent Motion for Order Dismissing Appeal with Prejudice (Doc. No. 5) and Notice of Proposed Settlement Agreement and Stipulation by and Among the Debtors and Schimenti Resolving the Debtors' Fifth Omnibus Objection to Claim 966. Upon due consideration, and because the Motion is unopposed, the Court hereby GRANTS the Motion. Subsequently, the Court's July 16, 2010 Order and Memorandum Opinion are VACATED, and the Appeal, with respect to Schimenti, is DISMISSED with prejudice.

Let the Clerk send a copy of this Order to all counsel of record.

It is SO ORDERED.

/s/

James R. Spencer
Chief United States District Judge

ENTERED 6 day of August 2010



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